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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/613,279	07/03/2003	Donald E. Weder	8403.931	4046
30589	7590	04/02/2004	EXAMINER	
DUNLAP, CODDING & ROGERS P.C. PO BOX 16370 OKLAHOMA CITY, OK 73113			TAWFIK, SAMEH	
			ART UNIT	PAPER NUMBER
			3721	

DATE MAILED: 04/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/613,279

Applicant(s)

WEDER, DONALD E.

Examiner

Sameh H. Tawfik

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,8 and 11-15 is/are rejected.
- 7) ☒ Claim(s) 4-7,9 and 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 07032003.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

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## DETAILED ACTION

### *Specification*

The disclosure is objected to because of the following informalities: the specifications missing the Summary of the invention.

Appropriate correction is required.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. For example "Method for producing corrugated decorative grass".

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 8, and 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gewiss (4,012,932) in view of Parker (5,134,013).

Gewiss discloses a method for making corrugated decorative grass comprising providing a web of paper (Fig. 2, via sheet 3) having an upper surface, a lower surface, a first side and a second side (Fig. 1); corrugating the web of paper to provide a corrugated web of paper (Fig. 2, via forming assemblies 18, 19, 9, and 10) having a plurality of folds extending between the first and second sides (Figs. 7a-8) thereof, each of the plurality of folds having a first leg, a second leg, and a crease defining a fold line from which the first and second legs extend (Figs. 1, via the fold line 4 for each zigzag fold has two portion adjacent to the fold line 4, one of them consider

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as first leg while the other is the second leg). Gewiss does not disclose that slitting the web of paper to provide strips of paper nor chopping the strips of paper into segments of paper.

However, Parker discloses a similar method form making corrugated grass comprising the steps of slitting the web of paper to provide strips of paper (Fig. 9, via strips 20) and chopping the strips of paper into segments of paper (Fig. 13; via strip segments 23).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Gewiss's method for making corrugated decorative grass by having the steps of slitting the web of paper to provide strips of paper and chopping the strips of paper into segments of paper, as suggested by Parker, in order to produce large quantities of folded and crimped shredded strips of sheet materials.

Gewiss neither disclose that providing a web of polymeric film, corrugating the polymeric film, slitting, nor chopping the polymeric film and mixing them with the paper segments. However, it would have been an obvious matter of design choice to have modified Gewiss's method for making corrugated decorative grass by using different type of web material such as polymeric along with the web and mix them, since applicant has not disclosed that using polymeric film along with paper web solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with Gewiss's bonded segments as shown in Fig. 6 and described on column 7, lines 30-34.

Note that slitting corrugated web or polymeric is just a matter of having the slitting step after the corrugating step. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have placed the step of slitting as taught by Parker after the corrugating step and in that case it would be obvious to have the slit transversely to the fold line

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of the folds, since it has been held that rearranging parts of an invention involves only routine skill in the art. In re Japikse, 86 USPQ 70.

Regarding claims 2 and 3: Gewiss does not disclose that the web of paper and/or polymeric is provided with at least one of printed patterns, embossed patterns and combination. However, Parker discloses that printing and embossing on the web (column 5, lines 34-36).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Gewiss's method for making corrugated decorative grass by having the steps of printing and embossing on the web, such printing locates the printed matter longitudinally along each length of shredded strip, as suggested by Parker, in order to have the company or corporation name, logo, trademark, or other subject matter (column 5, lines 37-40).

Regarding claims 12 and 13: Gewiss does not disclose that the step of providing the web of paper or polymeric film is provided with a matte or textured finish simulating the appearance or texture of cloth. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Gewiss's method for making corrugated decorative grass by having the step of providing the web of paper or polymeric film is provided with a matte or textured finish simulating the appearance or texture of cloth, as a matter of engineering design choice, since the examiner takes an official notice that the mentioned web of paper or polymeric film is provided with a matte or textured finish simulating the appearance or texture of cloth is old, well known, and available in the art.

Regarding claims 14 and 15: Gewiss does not disclose that the step of providing the web of paper or polymeric film been provided with a thickness in a range of from about 0.1 to about

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30 mil. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Gewiss's method for making corrugated decorative grass by having the web of paper or polymeric film been provided with a thickness in a range of from about 0.1 to about 30 mil, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

#### *Allowable Subject Matter*

Claims 4-7, 9, and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gewiss 3150576 and Wentworth 3044921 disclose different method for making corrugated grass.

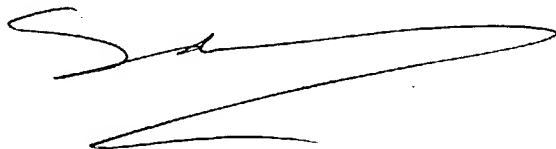
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sameh H. Tawfik whose telephone number is (703) 308-2809. The examiner can normally be reached on Tuesday - Friday from 8:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada can be reached on (703) 308-2187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sameh H. Tawfik  
Patent Examiner  
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A handwritten signature in black ink, appearing to be 'Sameh H. Tawfik', written over a horizontal line.

ST.